



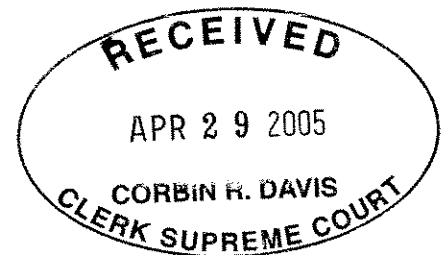
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April 27, 2005

Supreme Court Clerk
P.O. Box 30052
Lansing, MI 48909



Re: ADM File No. 2003-04
Proposed Amendment of Rule 6.412

Dear Sir/Madam:

I am opposed to the Proposed Amendment. I have been taught and always believed that the constitutional right to a jury trial included the concept of the right to be tried by a jury of my peers.

If I am a black defendant it would certainly be my preference to have the jury panel consist of black people and I would certainly expect my defense counsel to eliminate caucasians from the jury.

I likewise believe that Arabs, Muslims, Asians, etc., would prefer to have their civil and criminal cases heard by a jury of their respective peers.

I have defended many males accused of sex crimes and have made it a practice, in jury selection, to eliminate females from the jury. Not only does this make sense from the standpoint of my client, it makes sense from the standpoint of malpractice.

I think the adoption of this Proposed Amendment will cause significant potential problems in connection with the jury selection process. It will provide a new basis for appeal by unhappy litigants.

I fear that the adoption of this Amendment will lead to the adoption of future rules regarding the actual makeup of a jury panel. Is the next step going to be a "quota system" whereby the Michigan Supreme Court dictates that the jury must be balanced, not based on what the Court believes, but based on the demographics of the community population?

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After being a trial lawyer for almost 40 years, I can assure you that none of my clients ever wanted a fair and unbiased jury. They all wanted a jury that would be biased and in their favor. The opposing side wanted the same and the present method of jury selections with challenges for cause and peremptory challenges has served the system very well for hundreds of years. I am not in favor of the Michigan Supreme Court creating another minefield through which those of us who practice must go through.

Yours very truly,

Denis F. Jodis

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